

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6761**

**BILL NUMBER:** HB 1366

**NOTE PREPARED:** Jan 5, 2010

**BILL AMENDED:**

**SUBJECT:** Informed Consent for a Hysterectomy.

**FIRST AUTHOR:** Rep. Borders

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill requires a physician to obtain informed consent and provide certain information to a patient before performing a hysterectomy. The bill provides that if the Medical Licensing Board finds that a physician has not complied with the specified requirements, the physician is subject to disciplinary sanctions.

The bill requires the Office of Women's Health to adopt certain rules concerning consent procedures and medical reasons for hysterectomies.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** The Office of Women's Health is required to adopt rules to establish verbal and written consent procedures that must be obtained before the performance of a hysterectomy and that indicate the medically accepted justifications for the performance of a hysterectomy. The adoption of rules is a routine administrative function that may be accomplished within the existing level of resources available to the Office or the Indiana State Department of Health. The Office of Women's Health is funded with Tobacco Master Settlement Agreement funds.

A physician found by the Medical Licensing Board to be in violation of the required rules would be subject to sanctions available to the Board that range from issuance of a letter of reprimand to license revocation.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Office of Women's Health, ISDH; Medical Licensing Board; Indiana Professional Licensing Agency.

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Kathy Norris, 317-234-1360.